

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

CHARLES CURTIS, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No.: 3:06-CV-448-PLR-CCS
)	
ALCOA, INC.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

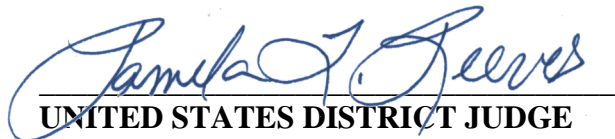
On May 6, 2014, the Honorable C. Clifford Shirley, United States Magistrate Judge, entered a Report and Recommendation (R&R) [R. 604], in which he recommended that Plaintiffs' motion for award of attorneys' fees and expenses [R. 586] be denied. This matter is presently before the court on plaintiff's objections to the magistrate judge's decision [Doc. 605]. Defendant has filed a response to the plaintiffs' objections [Doc. 606].

As required by 28 U.S.C. § 636(b)(1), the court has now undertaken a *de novo* review of those portions of the R&R to which plaintiffs object. After doing so, the court readily concludes that Magistrate Judge Shirley has thoroughly and correctly analyzed the legal issues presented in plaintiffs' motion for attorneys' fees and expenses. The court notes that all of plaintiffs' objections are merely restatements of arguments considered and rejected by Magistrate Judge Shirley. Moreover, plaintiffs' arguments

that they achieved some success on the merits of this case, which in turn, entitles them to an award of attorneys' fees and expenses, have all been rejected by this court and the Sixth Circuit Court of Appeals. *See* Findings of Fact and Conclusions of Law [R. 523]; order denying plaintiffs' motion for clarification and/or amendment to the judgment [R. 541]; and *Curtis v. Alcoa*, 525 Fed. Appx. 371 (6th Cir. 2013) [R. 578], *cert denied*, 134 S.Ct. 1308 (2014) [R. 600]. All of which is to say that the court has considered plaintiffs' arguments, once, twice, and now a third time. In addition, the Sixth Circuit Court of Appeals has rejected plaintiffs' arguments. As these arguments have already been analyzed and found to be without merit, a detailed written opinion covering the same ground would be unduly duplicative.

Accordingly, plaintiffs' objections [R. 605] are hereby **OVERRULED** in their entirety, whereby the R&R is **ACCEPTED IN WHOLE**. Thus, plaintiffs' motion for an award of attorneys' fees and expenses in this case [R. 586] is hereby **DENIED**.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE